

ESTTA Tracking number: **ESTTA488568**

Filing date: **08/10/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92053911
Party	Plaintiff Ovation LLC
Correspondence Address	Wendy M. Mantell Greenberg Traurig LLP 1840 Century Park East Suite 1900 Los Angeles, CA 90067 UNITED STATES mantellw@gtlaw.com, kimce@gtlaw.com, latm2@gtlaw.com
Submission	Other Motions/Papers
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Date	08/10/2012
Attachments	Motion to Resume.pdf (3 pages)(36647 bytes)

OVATION LLC, a Delaware limited liability company,)	
)	
Petitioner,)	
)	
v.)	Cancellation No.: 92-053,911
)	
OVATION, INC., a Tennessee corporation,)	
)	
Registrant.)	
)	

Pursuant to Section 510.03(b) of the Trademark Trial and Appeal Board Manual of Procedure, Petitioner Ovation LLC and Registrant Ovation, Inc. (individually, a “Party” and collectively, the “Parties”), hereby submit this stipulated motion to resume Cancellation Proceeding No. 92-053,911 in accordance with the deadlines set forth below.

Discovery Closes:	October 12, 2012
Plaintiff's Pretrial Disclosures:	November 26, 2012
Plaintiff's 30-day Trial Period Ends:	January 10, 2013
Defendant's Pretrial Disclosures:	January 25, 2013
Defendant's 30-day Trial Period Ends:	March 11, 2013
Plaintiff's Rebuttal Disclosures:	March 26, 2013
Plaintiff's 15-day Rebuttal Period Ends:	April 25, 2013

The Parties further agree that the Discovery Period shall not include the re-opening or extending of the deadline for Expert Disclosures, which expired prior to the suspension, notwithstanding the ability for either Party to file a motion for relief from that already past deadline.

This Stipulation has been agreed to by Paige W. Mills, counsel for Registrant, who has indicated her consent thereto and who has authorized the indication of her consent by undersigned counsel. Accordingly, the Parties respectfully request that the Board resume the instant Cancellation Proceeding No. 92-053,911 on August 13, 2012.

Dated: August 10, 2012

Respectfully submitted,

GREENBERG TRAURIG, LLP

By:



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Attorneys for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on August 10, 2012, a true and correct copy of the foregoing Stipulated Motion to Resume Proceedings was served via Electronic Mail to counsel for Registrant at:

Paige W. Mills
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